

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DONALD H. BROWN, II,

Petitioner,

**CASE NO. 2:19-CV-2826
JUDGE GEORGE C. SMITH
Magistrate Judge Chelsey M. Vascura**

v.

OHIO ADULT PAROLE AUTHORITY,

Respondent.

ORDER

On July 3, 2019, the Magistrate Judge issued a Report and Recommendation pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed without prejudice as unexhausted. (ECF No. 2). Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed. The docket indicates that Petitioner's mail has been returned as undeliverable. (ECF Nos. 3, 4). However, Petitioner bears responsibility for keeping the Court advised of his current whereabouts.

The Report and Recommendation (ECF No. 2) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED** without prejudice as unexhausted.

Petitioner has waived the right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT